

Wyoming County NEW YORK STATE

(Rev. 01/21) Complaint for Violation of Civil Rights (Prisoner)

UNITED STATES DISTRICT COURT
 Western ~~Western~~ for the
 Western District of New York

Case No.

25 CV 494

(to be filled in by the Clerk's Office)

Daniel S. Murray plaintiff

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint.
 If the names of all the plaintiffs cannot fit in the space above,
 please write "see attached" in the space and attach an additional
 page with the full list of names.)

- ① Attica Correctional Facility
- ② Julie Wolcott (Warden)
- ③ Minik Correctional Facility
- ④ State of NEW York

Defendant(s)

(Write the full name of each defendant who is being sued. If the
 names of all the defendants cannot fit in the space above, please
 write "see attached" in the space and attach an additional page
 with the full list of names. Do not include addresses here.)

JURY TRIAL: Yes No Defendants

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
 (Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

(Rev. 01/21) Complaint for Violation of Civil Rights (Prisoner)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

All other names by which

you have been known:

ID Number

Current Institution

Address

Daniel S. Murray17360Warren County Jail1400 State Route 9Lake George NY

City

State

12845

Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (*if known*)

Shield Number

Employer

Address

Attica Correctional FacilityPTON(NYS DOCCS)639 Exchange StreetAttica

State

14011-0149

City

Zip Code

 Individual capacity Official capacity

Defendant No. 2

Name

Job or Title (*if known*)

Shield Number

Employer

Address

Julie WolcottWarden(NYS DOCCS)639 Exchange StreetAttica

State

14011-0149

City

Zip Code

 Individual capacity Official capacity

(Rev. 01/21) Complaint for Violation of Civil Rights (Prisoner)

Defendant No. 3

Name

Job or Title (if known)

Shield Number

Employer

Address

Officer "Minik"Correctional Officer(NYSDOCS) Attica Correctional Facility639 Exchange StreetAtticaNY14011-0149CityStateZip Code Individual capacity Official capacity

Defendant No. 4

Name

Job or Title (if known)

Shield Number

Employer

Address

State of NEW YorkCorrectional Services(NYSDOCS) The Harriman Campus Bldg 4The Capitol1220 Washington AveAlbanyNY12226CityStateZip Code Individual capacity Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

 Federal officials (a *Bivens* claim) State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

My 14th, 10th, 8th, 6th, 4th and 1st Constitutional Rights
All Been VIOLATED. I Been INJURED over and over
Sexually Abused BY Correctional Officers

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

My 14th, 10th, 8th, 6th, 4th, And 1st
Constitutional Rights All Been VIOLATED

(Rev. 01/21) Complaint for Violation of Civil Rights (Prisoner)

My 14th, 10th, 8th, 6th, 4th, and 1st Constitutional
Rights Been Violated.

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under Bivens, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Correctional Officer Sexually
Abused me. And His Boss the warden puts him closer
to me to my work stations so it keeps happening. I
got Seriously injured And Sexually Abused. Not to
mention I got Stabbed And Cut over this officer

III. Prisoner Status

Doing this

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- Pretrial detainee
- Civilly committed detainee
- Immigration detainee
- Convicted and sentenced state prisoner
- Convicted and sentenced federal prisoner
- Other (explain) County Sentence Prisoner

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

In Affairs Correctional Facility 2023 July 19th

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

July 19th 2023 this is on Record grievance
Described fully Exhausted I got Sexually
Abused By officer Monk And The other
Defendants let it still go down

Higher Up Officer ~~assisted me~~ and over DID
Nothing to Stop The Abuse - I Got into trouble And Retaliated
(Rev. 01/21) Complaint for Violation of Civil Rights (Prisoner) Against And Discriminated Against

C. What date and approximate time did the events giving rise to your claim(s) occur? Well July 14th

2024 7:45 night to 8:45 night C. Block Hallway
leading to Rec Yard on C BLOCK

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what?
Was anyone else involved? Who else saw what happened?) I got Sexually Abused

Over And over By officer minik I let his
Superiors know he Done this it was on
Camera There is Camera and Audio footage
And (F.O. i. L) Department wrote me Back
and said they got it on Camera And Audio
for Court they preserved it for Court

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Yes I have INJURIES I had to go to medical And
Due To Retaliation And Discrimination Officer minik
payed other inmates to Stabb And Cut me.

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes.
If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I AM seeking Damages to Injuries
\$2,000,000.00 from each listed Defendant Above for
Injuring me And putting me in harms way when I asked
for help. Not only was I getting Sexually Abused By the
Officer. Officer payed Someone to Stabb and Cut me.
I Asked for help And To Be Moved Away from Officer
Warden Julie Wolcott Defendant Denied it And Put the
Officer in my Work Station. My 14th, 10th, 8th, 6th, 4th
And 1st Constitutional Rights were violated Against me
And I got furthered Injured Due to Retaliation &
Discrimination got Medical Denied. Medical malpractice
(Actual Injury) (I.I.E.D) (Inadequate medical) pain suffering
(Cruel and unusual punishment, Inhuman treatment)

(Rev. 01/21) Complaint for Violation of Civil Rights (Prisoner)

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

- A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes
 No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Attica Correctional facility

- B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

Yes
 No
 Do not know

- C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

Yes
 No
 Do not know

If yes, which claim(s)? was Deemed Exhausted & I filed 2 Grievances on this Situation Both Times it was Automatically Exhausted FULLY EXHAUSTED AS IT STATED 23-1511 AND 23-1809 Exhausted Grievances

(Rev. 01/21) Complaint for Violation of Civil Rights (Prisoner)

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

Yes

No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes

No

- E. If you did file a grievance:

1. Where did you file the grievance?

Africa Correctional facility

2. What did you claim in your grievance? I got Sexually Abused By Correctional officer And t Also Called(Preo) & Went Above And Beyond Just To get further ASSAULTED AND INJURED

3. What was the result, if any? Told me I was EXHAUSTED

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

EXHAUSTED SEXUAL ABUSED VICTIMS

Are AUTOMATICALLY EXHAUSTED ON grievance

Claims to go to Court to get further Relief I was told Every time I Asked for Help And Reported this I Got ASSAULTED AGAIN

(Rev. 01/21) Complaint for Violation of Civil Rights (Prisoner)

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

*This is All on file, Camera, video
Audio I got All the info.
I have proof*

*I filed them they are on my file
my Grievance logs And All grievances*

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:
- Told Everyone the more I
Told to get away from situations the more
Injuries I received for doing so.*

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

*Sexually Abuse is automatic exhausted
That's what (Corc) states*

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

Yes

No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

*None But please get me an Index #
So I can file more motions with the Court
And Also send Exhibits for this case
Thank you*

(Rev. 01/21) Complaint for Violation of Civil Rights (Prisoner)

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: _____

Signature of Plaintiff



Printed Name of Plaintiff

Danny Murray

Prison Identification #

17360

Prison Address

Warren County Jail

Lake George

City

NY

State

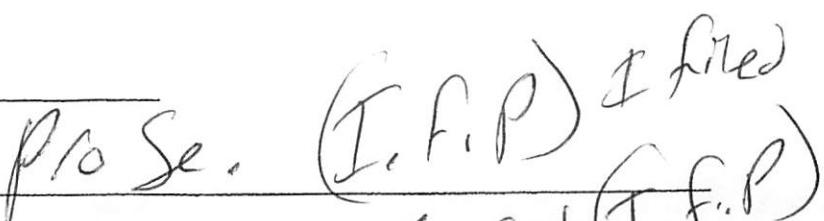
12845

Zip Code

B. For Attorneys

Date of signing: _____

Signature of Attorney



Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

Daniel S. Murray Plaintiff

V.

CASE # 25CV494

- ① Attica Correctional Facility
- ② Julie Wolcott Warden
- ③ Officer Mink
- ④ New York State

Jury Trial

Yes No

Defendants

Motion to the Court to Except this "1983 Lawsuit"
And Issue Me An. Index# So I can file more
Motions And Exhibits with The Court.

I AM the plaintiff Daniel S. Murray and Here is the Story for The Court. ON 114 19th 2023 I was walking out to Rec Yard in (C) Block in Attica Officer Mink puts me on the wall for A part frisk He was playing with my Ball's. Now mind you this is the 3rd time he did this to me He waited for the whole Block to go out making me grab A hold of the wall. This was His 3rd time he stuck his hands down my pants & filed A grievance it got Deemed immediately Exhausted. I Asked to Have him Arrested and fired on the spot. But neither nor him or me got moved away from (C) Block. This was the INJURY. I AM Seeking \$2,000,000.00 from Each said Defendant listed above there are ongoing lawsuits to claim this officer and warden had me jumped and Stabbed I got cut on A. (P.C) Block once & put my self in pc over that I got cut

page 10 of 2

Read Back page for Additional page →

I Asked And ASKed for Help. I Got Harassed And further Enجرed Due to The DIScrimINATION and Retaliation. This All took place on camera in C. Block in Attica Prison the Audio And Camera footage Been Save through Albany. I ASked The (F.O.I.L) Department To Save Camera And Audio on this Case And I have other Officers As witnesses they came forward. And this is why I am submitting this case Also another reason why I am Submitting the Case so The further Enجرies Stop.

Thank You. Also I hope that Officer "mik" Loses his Job So he does not do this no more And also the Warden Miss Julie Wolcott She never listened always left you in a place to get further Enجرed & ASKed for Help She denies it. She only Responded to me when I tryed to send my family An Email telling them to send the State police into talk to me about me constantly getting Sexually Abused By this Officer. He Did Not get moved As A matter of fact I was working man messhall he got put there for His job assignment So He could violate me At His Job. My 14th, 10th, 8th, 6th, 1/4th, and 1st Constitutional Rights Been violated on this.

Respectfully yours to the Court.

Daniel S Murray

05-30-25